



## United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240



March 11, 2015

Re: Property: **Traymore Hotel, 2445 Collins Avenue, Miami Beach, Florida**  
Project Number: **29464**

Dear

I have concluded my review of your appeal of the decision of Technical Preservation Services (TPS), National Park Service, denying certification of the rehabilitation of the property cited above. The appeal was initiated and conducted in accordance with Department of the Interior regulations (36 CFR Part 67) governing certifications for Federal income tax incentives for historic preservation as specified in the Internal Revenue Code. I would like to thank your representatives, , and (by telephone), for meeting with me in Washington on December 18, 2014, and for providing a detailed account of the project.

After careful review of the complete record for this project, including the materials presented with your appeal, I have determined that the rehabilitation of the Traymore Hotel is not consistent with the historic character of the property and the historic district in which it is located. Therefore, the denial issued on September 30, 2014, by TPS is hereby affirmed.

The Traymore Hotel was constructed in 1939 from designs by architect Albert Anis and is distinguished on the exterior by an asymmetrical facade on Collins Avenue featuring projecting horizontal bands between floors, and a vertical pylon with curved projecting accents at the roof level. The Miami Beach Drive facade features a symmetrical, three-bay facade with a bow-fronted center bay. Although the property is bounded by taller buildings on the south and north, it is prominently visible from both Collins Avenue and Miami Beach Drive. On October 18, 2013, the National Park Service determined that the building contributes to the Collins Waterfront Architectural District, which had been listed in the National Register of Historic Places on November 15, 2011.

TPS determined that the "new rooftop construction materially alters the profile of the building and diminishes the design and massing of the historically simple two-tier "pylon" that constituted the original penthouse. Contributing to the complexity and jarring visual nature of the rooftop work are the new rectilinear canopy structures, guardrails and metal staircases. Consequently, this work has significantly impaired the historic character and appearance of the building."

The Traymore has a stepped parapet and cornice on its Collins Avenue facade. Originally, it had set-back, two-tier penthouse on its north side, mimicking the stepped profile of the Collins Avenue parapet, but it was a simple mass without a cornice, and thus was clearly a secondary feature. The new rooftop additions add significantly to the massing of the original penthouse, topped by metal screens with vertical accents, and include a series of decks cantilevering above the original roof, creating deep shadows under their solid parapets, and steel stairs and railings connecting the various levels. The visual prominence of these new features above the historic parapet, cornice, and pylon of the Collins Avenue facade, severely diminishes its historic character. On the ocean side of the building, the metal screens on top of the extended historic penthouse, the new stairs and stair tower, and the new metal awning frames and railings on the sun/pool deck, are prominently visible rooftop features above the Miami Beach Drive facade, and similarly compromise its historic character. I have determined that the cumulative impact of these rooftop additions on the overall historic character of the property violates Standards 2 and 9. Standard 2 states, *"The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided."* Standard 9 states, *"New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."*

Although not cited by TPS in its denial decision, balconies were added to the inset bays in the middle of both the north and south facades. I have determined that filling in the inset bays on both facades significantly changes the historic massing of the original building, also contravening Standards 2 and 9, and is a contributing—but not definitive—factor in my appeal decision. The regulations state, *"The Chief Appeals Officer may base his decision in whole or part on matters or factors not discussed in the decision appealed from."* [36 CFR § 67.10(c)].

During the appeal meeting, your representatives explained that the Traymore is a modestly-scaled building, and that you had determined that the roof was the only available location to add the guest amenities that are an integral part of the Como Hotels brand. Unfortunately, that decision was made, the construction was completed, and the building was placed in service before the National Park Service received the Part 2 – Description of Rehabilitation application and had the opportunity to review the proposed work. The regulations state, *"Owners are strongly encouraged to submit part 2 of the application prior to undertaking any rehabilitation work. Owners who undertake rehabilitation projects without prior approval from the Secretary do so strictly at their own risk."* [36 CFR § 67.6(a)(1)].

As Department of the Interior regulations state, my decision is the final administrative decision regarding the September 30, 2014, decision by TPS denying rehabilitation certification. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,



John A. Burns, FAIA  
Chief Appeals Officer  
Cultural Resources

cc: SHPO-FL  
IRS